Notice of Allowability Degrade Notice Not		Application No.	Applicant(s)
Reaminer	Notice of Allowability	09/308,860	MCKECHNIE ET AL.
The MAILING DATE of this communication appears on the cover sheet with the correspondence address-All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application in the intended herewith (or proviously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RICHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon polition by the applicant. Soc 37 CFR 1-313 and MPEP 1308. 1. ☑ This communication is responsive to papers filed on 1-20/2/03. 2. ☑ The allowed claim(s) is/are 35-54. 3. ☑ The drawings filed on 26 May 1999 are accepted by the Examiner. 4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All □ b) □ Some c □ None of the: 1. □ Certified copies of the priority documents have been received in Application No. □ Copies of the certified copies of the priority documents have been received in Application No. □ Certified copies on tracetived: 2. □ Certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). 3. □ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). 4. Papilicant has THREE MONTHS FROM THE MAILING DATE of this communication to file a reply complying with the requirements onto the low. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. □ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the cath or declaration is deficient. (a) □ including changes required by the Notice of Databases of Paper No./Mail Date □ Communication Note the Abander Examiner's Amendment / Comment (PCD-143), Paper N		Examiner	
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not include herewith (or proviously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. ☑ This communication is responsive to papers filed on 1:202/03. 2. ☑ The allowed claim(s) is/are 35-54. 3. ☑ The drawings filed on 26 May 1999 are accepted by the Examiner. 4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All b) ☐ Some* of ☐ None of the: 1. ☐ Cortified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in Application No 4. ☐ Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements protected by the Allowage of the priority documents have been received in Application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ hereto or 2) ☐ to Paper No./Mail Date (b) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ hereto or 2) ☐ to Paper No./Mail Date (c) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached Examiner's Comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Altachment(s) 1. ☐ Notice of References C		Alexander Markoff	1746
2 ☑ The allowed claim(s) is/are 35-54 3 ☑ The drawings filed on 26 May 1999 are accepted by the Examiner. 4 ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All b) ☐ Some* c) ☐ None of the: 1. ☐ cortified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No. 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: ☐ * Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD Is NOT EXTENDABLE.** 5 ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ heretor or 2) ☐ to Paper No./Mail Date ☐ (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ☐ (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ☐ (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ☐ (b) ☐ Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ☐ (b) ☐ Including changes required by the Autore (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7.	All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R	6 (OR REMAINS) CLOSED in) or other appropriate communities. This application is su	this application. If not included nication will be mailed in due course. THIS
3. ☑ The drawings filed on 26 May 1999 are accepted by the Examiner. 4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.** 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached (b) ☐ including changes required by the Notice of Braftsperson's Patent Drawing Review (PTO-948) attached (c) ☐ including changes required by the Alached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date (c) ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's Comment regarding	1. X This communication is responsive to papers filed on 1.2/0	<u>12/03</u> .	
4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All b) ☐ some* c) ☐ None of the: 1. ☐ certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). *Certified copies not received: Applicant has THREE MONTHS FROM THE *MAILING DATE* of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ hereto or 2) ☐ to Paper No./Mail Date (b) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date (c) ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL. must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date Paper No./Mail Date Paper No./Mail Date Examiner's Comment Regarding Requirement for Deposit of Biological Material	2. 🗵 The allowed claim(s) is/are <u>35-54</u> .		
a) All b) Some* c) None of the: 1. Cortified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.** 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or dectaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.34(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Altachment(s) 8. Examiner's Statement of Reasons for Allowance of Biological Material 9. Other Alexander Markoff Primary Examiner	3. $igotimes$ The drawings filed on $26May1999$ are accepted by the E	xaminer.	•
INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit 5. Notice of Informal Patent Application (PTO-152) 8. Examiner's Amendment/Comment Paper No./Mail Date Alexander Markoff Primary Examiner	a) ☑ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents hav 2. ☐ Certified copies of the priority documents hav 3. ☐ Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN	e been received. e been received in Application ocuments have been received of this communication to file	n No in this national stage application from the
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9. Other Alexander Markoff Primary Examiner	INFORMAL PATENT APPLICATION (PTO-152) which giv	res reason(s) why the oath or	
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material Alexander Markoff Primary Examiner	 (a) ☐ including changes required by the Notice of Draftsper 1) ☐ hereto or 2) ☐ to Paper No./Mail Date (b) ☐ including changes required by the attached Examiner Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR) 	son's Patent Drawing Review - 's Amendment / Comment or 1.84(c)) should be written on the	in the Office action of e drawings in the front (not the back) of
 Notice of References Cited (PTO-892) Notice of Draftperson's Patent Drawing Review (PTO-948) Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date			
 Notice of References Cited (PTO-892) Notice of Draftperson's Patent Drawing Review (PTO-948) Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date	*		
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material 6. ☐ Interview Summary (PTO-413), Paper No./Mail Date 7. ☐ Examiner's Amendment/Comment 8. ☒ Examiner's Statement of Reasons for Allowance 9. ☐ Other Alexander Markoff Primary Examiner		5. Notice of Infe	ormal Patent Application (PTO 152)
 Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date		6. 🗌 Interview Su	mmary (PTO-413),
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material 9. ☐ Other Alexander Markoff Primary Examiner		Paper No./M 08), 7. ☐ Examiner's A	Mail Date Amendment/Comment
of Biological Material 9. Other Alexander Markoff Primary Examiner		8. ⊠ Examiner's S	Statement of Reasons for Allowance
Primary Examiner			•
			Primary Examiner

Application/Control Number: 09/308,860

Art Unit: 1746

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: After consideration of the Appeal Brief and reconsideration of the prior art the examiner agrees with the applicant's position presented in the Brief.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Markoff whose telephone number is 571-272-1304. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy P Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alexander Markoff Primary Examiner Art Unit 1746

am

ALEXANDER MARKOFF PRIMARY EXAMINER